

Matthew E. Sj2 word

a benzoxazole, benzotriazole or benzthiazole compound, other than the compound 2-mercaptopbenzothiazole.

REMARKS

In the above-identified Office Action the Examiner has maintained his rejection of claim 27 as being anticipated by Parham. Applicant has amended claim 27 to reflect that it has nonherbicidal properties which is in direct contrast to the herbicidal composition of Parham. As a result, it is believed that claim 27 now defines over Parham and should be allowable.

The Examiner has rejected claims 22, 24-26, 31, 33, and 34 according to the Dutch abstract 6701062, which teaches a herbicidal mixture including calcium lignin sulphonate. Applicant notes that claim 22 recites an oil soluble basic compound and the mixture set forth in the Dutch 062 patent is slightly susceptible to UV degradation because of its diesel oil content. Moreover, calcium lignin sulphonate itself is primarily a neutral or slightly acidic combination. Shown in the attached data sheet, is a product of Soil-Tech which refers to calcium lignin sulphonate with a pH of 7 and data sheets from Wes Co Technologies including 7 compositions, 6 of which are slightly acidic with the exception of Weschem CA4, which is slightly basic, i.e., pH of 9. As explained in the sheet, to reach this slightly basic pH, it is necessary that a special procedure involving the removal of reducing substances by fermentation be employed. As a result, absent special circumstances, it is seen that calcium lignin sulfonate is a slightly acidic substance, in contrast to the oil soluble basic compound, which is recited in the claims and the overbased sulphonate specifically recited. Further, when one compares a calcium lignin sulfonate with an overbased sulfonate as claimed, the difference between a very basic sulfonate and a slightly acidic or neutral sulfonate stands out.

Claims 22, 24-27, 31, 33-35, 38, 40-42 have been rejected as obvious in view of Parham and the Dutch 062. In view of the arguments set forth above for the allowability of claims 22 and 27, Applicant believes that these claims are allowable as well.

Applicant hereby requests reconsideration and allowance.

With the above amendments and remarks, this application is considered ready for allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned at the below-listed number.

Respectfully submitted,

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